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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,373	11/19/2001	Hiroiyuki Karasawa	Q66793	8362

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EXAMINER

SPEARS, ERIC J

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 09/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,373

Applicant(s)

KARASAWA, HIROYUKI

Examiner

Eric J Spears

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 3, it is unclear as to whether the claim is reciting an error in a measured time period or reciting detecting an error which has occurred during the "ineffective reading period". In the former case, the claim fails to recite claim element(s) which measure the time period in question. In the latter case, the phrase "error in" should read --error during--.

Claims not specifically mentioned are indefinite due to their dependency upon an indefinite base claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Horikawa (4,985,629).

Regarding Claims 1 and 4, Horikawa teaches an image processing apparatus having an image reading unit for reading an image per line from a sheet-like recording medium by applying a laser beam 3a to the sheet-like recording medium 1 and scanning the sheet-like recording medium with the laser beam in a main scanning direction X, comprising: a controller dedicated for controlling reading of the image from the sheet-like recording medium. said controller being operable in synchronism with a main scanning synchronizing signal T supplied thereto (See Fig. 1; see abstract). It should be noted that the period of the signal T would be known as the apparatus supplies it.

Regarding Claim 2, Horikawa teaches wherein said controller comprises means for performing shading correction on the image to be read in at least an effective reading period in a period of reading one line of image (See abstract).

Regarding Claim 3, Horikawa teaches wherein said controller comprises means for detecting at least an error (i.e. fluctuations) in an ineffective reading period in a period of reading one line of image (See Abstract).

Regarding Claim 5, Horikawa teaches an erasing unit for erasing image information carried on said sheet-like recording medium after said image is read therefrom; said controller comprising means for detecting an erasing level for said

erasing unit in an ineffective reading period in a period of reading one line of image (Col. 6, lines 46-49).

Regarding Claim 6, Horikawa teaches storing the values of the image signal in a recording apparatus (Col. 4, lines 6-9).

Regarding Claim 7, Horikawa teaches wherein said shading-correction performing means comprises: means 12 for outputting shading corrective data in synchronism with a reference clock signal; means 14 for converting the outputted shading corrective data from digital data into an analog corrective signal; and means 8 for adding an image signal representing the read image and said analog corrective signal to each other.

Regarding Claim 9, Horikawa teaches a deflector 4 for deflecting the laser beam to scan said sheet-like recording medium in the main scanning direction while the laser beam is being applied to said sheet-like recording medium, said deflector having a plurality of facets, said shading-correction performing means performing shading correction depending on facet characteristics of each of said facets of the deflector (Col. 4, lines 36-50).

Regarding Claim 10, Horikawa teaches wherein said controller comprises means for generating a signal to manage displaying of the image in synchronism with said main scanning synchronizing signal (Col. 4, lines 15-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horikawa (4,985,629).

Regarding Claim 8, Horikawa teaches wherein said shading-correction performing means comprises: means 12 for outputting shading corrective data in synchronism with a reference clock signal; means 14 for converting the outputted shading corrective data from digital data into an analog corrective signal; and means 8 for adding an image signal representing the read image and said analog corrective signal to each other. Horikawa does not teach adding digital signals. However, the use of digital/analog and analog/digital converters is well known in the art. It would have been obvious to one of ordinary skill in the art to convert between digital and analog in order to minimize construction costs.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takasaki (4,816,678) teaches an image storing and reading apparatus.

Izumi (5,109,297) teaches an image storing and reading apparatus.

Aagano et al. (4,642,462) teaches an image storing and reading apparatus.

Yasuda (5,654,556) teaches an image storing and reading apparatus.

Miyagawa (5,488,489) teaches an image storing and reading apparatus.

Ishikawa et al. (4,908,511) teaches an image storing and reading apparatus.

Funahashi et al. (4,994,662) teaches an image storing and reading apparatus.

Isoda (6,515,270) teaches an image storing and reading apparatus.


Arakawa et al. (6,417,518) teaches an image storing and reading apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Spears whose telephone number is (703) 306-0033. The examiner can normally be reached on Monday-Friday from 10:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (703) 308-4852. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

EJS
08/28/03


Que T. Le
Primary Examiner